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3. A license to operate a pasteurizer for the pasteurization of milk not marked as inspected, and to sell and deliver such milk, for which a fee of \$10 shall be paid upon the filing of the application as hereinbefore provided.

4. A license to sell pasteurized milk where same has been pasteurized by some person, firm, or corporation other than the person selling, offering for sale, or delivering same, for which license a fee of \$3 shall be paid where the average daily sales amount to less than 7 gallons, and a fee of \$5 where the average daily sales amount to more than 7 gallons.

In all cases where a person owning cows shall deliver for pasteurization to any person, firm, or corporation operating a pasteurizer, and shall receive back pasteurized milk from such person, firm, or corporation, he shall pay the license fee provided for under subdivision 4 of this section.

5. A license to sell inspected milk where the average daily sales amount to less than 2 gallons, for which a license fee of \$2 per year shall be paid.

All licenses for the sale of milk or other products issued in pursuance to the provisions of this ordinance shall expire on the 30th day of June following the date of their issue.

SEC. 24. The funds derived from the sale of licenses shall be known as "The milk laboratory fund," and the proceeds of the sale of all licenses issued under this ordinance shall be paid into such fund and used for the payment of the expenses incident to the examination and testing of milk and other dairy products sold or offered for sale in the city of La Porte.

SEC. 25. *Penalties and seizure.*—Every person, firm, or corporation violating any of the provisions of the foregoing sections shall be fined not less than \$5 nor more than \$200 for each offense.

SEC. 26. The secretary of the city board of health is hereby empowered to revoke the license of any dealer in milk, cream, skim milk, or buttermilk who has failed or refused to comply with the provisions of this ordinance; and he is hereby directed to revoke the license of any dealer who has been convicted of a violation of this ordinance or of the pure-food laws of the State of Indiana.

## LEXINGTON, KY.

### Buildings and Premises—Insanitary—Abatement of Nuisances—Vacation of. (Ord. 450, Aug. 17, 1914.)

SECTION 1. It shall be unlawful for any person, firm, or corporation, after notice as hereinafter set out, to maintain, lease, let, occupy, or permit the occupancy of any building, structure, or portion thereof, or premises adjacent thereto, designed or intended for dwelling purposes or used for human habitation, which is or may become so unclean, insanitary, unhealthful, or out of repair as to render it unfit for human habitation or dangerous, injurious, or detrimental to the lives, health, or morals of its occupants or the community.

SEC. 2. Any structure, building, or portion thereof, or premises adjacent thereto, intended or designed for dwelling purposes or used for human habitation which is or may hereafter become so unclean, insanitary, unhealthful, or out of repair as to render it unfit or unsafe for human habitation or dangerous, injurious, or detrimental to the lives, health, or morals of its occupants or the community, or which may be infected with a communicable disease, or which is not provided with toilet facilities and water supply as required by law and ordinance, is hereby declared to constitute a nuisance.

SEC. 3. Whenever any building, structure, or portion thereof or premises adjacent thereto, intended or used for human habitation, shall be unfit or unsafe

for such purpose, or be dangerous, injurious, or detrimental to the lives, health, or morals of its occupants or the community as set out in section 1 of this ordinance, or shall constitute a nuisance as defined in section 2 of this ordinance, it shall be the duty of the mayor, upon being informed thereof by the health officer, housing inspector, or any police officer or citizen, to cause a written notice, setting out the grounds therefor, to be served on the owner, landlord, or person in control of such building, structure, or premises to remove, discontinue, and abate the nuisance and insanitary, unhealthful, and unsafe conditions within 10 days after service of the notice or within a shorter time to be fixed in the notice (but not less than 24 hours in any case), if necessary in case of emergency for the protection of the lives, health, and safety of the occupants or of the community. A copy of the notice may be served on the tenant or occupant. If it is necessary that the building or premises be vacated or the building or portion thereof be removed in order to abate the nuisance or to remove the insanitary or unsafe conditions, the notice shall so state and a copy thereof shall be served on the tenant or occupant. The notice may be served by any police officer of the city or by any sheriff or constable within his jurisdiction. If the owner or person in control of the building or premises is a non-resident of Fayette County, Ky., the notice may be served on the tenant or occupant, and if there be no tenant or occupant the notice may be served by posting on the premises for the required time.

SEC. 4. When the owner or person in control of such building or premises is served with a notice as provided in section 3, it shall be his duty to comply with same within the prescribed time by abating the nuisance and by removing, discontinuing, and abating the insanitary, unhealthful, and unsafe conditions and the causes thereof, and to put the building and premises in a clean, sanitary, healthful, and safe condition; and to vacate the same and to remove the building, structure, or portion thereof if such vacation or removal be necessary for said purpose: *Provided*, That in all cases where the insanitary, unhealthful, or unsafe conditions are caused or produced by the occupant or tenant, it shall be his duty, jointly with the landlord or owner or person in control, to remove, discontinue, and abate such conditions if he be served with notice as provided in section 3, and it shall also be the duty of the tenant or occupant to vacate the building or premises in accordance with notice served on him. In all cases the mayor will cause notice to be served on the tenant or occupant when requested by the landlord or owner.

SEC. 5. Any owner, landlord, or person in control of any such building, structure, portion thereof, or premises appurtenant thereto, who shall fail to comply with the provisions of section 4 of this ordinance, after service of notice as required by section 3, shall upon conviction be fined not less than \$5 nor more than \$50 for each offense, and each day of such failure to comply with section 4 shall constitute a separate offense; and the court, in its judgment of conviction, shall determine and adjudge whether the building or premises shall be vacated and whether the building, structure, or any portion thereof, shall be abated, torn down, destroyed, or removed: *Provided*, That if the owner, landlord, or person in control of such building or premises be a nonresident of the State or the county of Fayette, he may be proceeded against in the police court of the city by warning order as prescribed by the civil code in proceedings against nonresidents, but no fine shall be imposed, but the court shall determine and adjudge whether any part of the building or premises shall be vacated, torn down, or removed.

SEC. 6. Whenever there shall be a judgment, under this ordinance, that any building, structure, portion thereof, or premises be vacated it shall be the duty

of the chief of police and the members of his department to carry out and enforce the judgment. If the judgment be that any building, structure, or portion thereof be abated, torn down, or removed, it shall be the duty of the mayor, in the name of the city, to contract with some suitable person or persons to abate and remove the structure, building, or portion thereof at the cost of the owner or owners thereof, which cost, if not paid by the owner or owners, may be paid by the city, and the amount so expended shall be recovered by the city by suit in any court of competent jurisdiction.

SEC. 7. Any tenant or occupant, other than the owner of the building or premises, who shall violate section 4 of this ordinance, or fail to comply with same after notice has been served on him as required by section 3, shall be fined not less than \$2 nor more than \$25, and each day such violation thereof or failure to comply with section 4 continues shall constitute a separate offense. In cases where the conditions described in section 4 are caused or produced by the tenant or occupant, the court may, in its discretion, impose a fine on such tenant or occupant and not on the owner or landlord.